

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:
MONICA A. ADDUCI :
Debtor : BK. No. 16-18380 SR
: Chapter No. 13

ALLY BANK :
Movant :
v.
MONICA A. ADDUCI :
Respondent :

OBJECTION OF ALLY BANK TO CONFIRMATION OF THE DEBTOR'S CHAPTER 13 PLAN

Movant, **ALLY BANK** (hereinafter referred to as "Movant"), by its attorneys Phelan Hallinan Diamond & Jones, LLP hereby objects to confirmation of the Debtor's Chapter 13 Plan as follows:

1. Movant is **ALLY BANK**.
2. Debtor, MONICA A. ADDUCI and CHRISTOPHER M. LOSCALZO (NON-FILING CO-MORTGAGOR), are the owner of the property located at 1616 COPPER BEECH ROAD, HUNTINGDON VALLEY, PA 19006.
3. On May 2, 2017, Movant filed Proof of Claim listing pre-petition arrears in the amount of \$130,016.00. A copy of the Proof of Claim is attached hereto as Exhibit "A" and made a part hereof.
4. Debtor's Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).
5. Debtor's Plan currently provides for payment to Movant in the amount of \$120,937.02. A copy of the Debtor's Plan is attached hereto as Exhibit "B" and made a part hereof.
6. Movant objects to Debtor's Plan as it is underfunded and fails to pay the full amount of arrears. Debtor's Plan should be amended to fully pay and fund the arrears owed to Movant. Confirmation of Debtor's proposed Plan should be denied.

WHEREFORE, **ALLY BANK** respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

Respectfully Submitted,

/s/ Thomas Song, Esquire
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